

PATENT ATTORNEY DOCKET NO.: 051438-5002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	application of:)	
	Nadine BURTON et al.) Confirmation No.: 8062	
Applic	eation No.: 10/712,265) Group Art Unit: 3761	
Filed:	November 14, 2003) Examiner: M. Bogart	
For:	MEDICAL VACUUM ASPIRATION DEVICE HAVING REMOVABLE VALVE HOUSING (as Amended)) Mail Stop Amendment)	•
U.S. P Mail S	nissioner for Patents atent and Trademark Office Stop Amendment ndria, VA 22314		
Sir:	,	•	
	AMENDMENT TRANS	SMITTAL FORM	
1.	Transmitted herewith is an Amendment in reAugust 5, 2008.	esponse to the Office Action dated	
2.	Additional papers enclosed.	• .	
	Request for Approval of Drawing Submission of Formal Drawing Information Disclosure States Form PTO-1449, referent Citations	ngs ment	
3.	Extension of Time		
	The proceedings herein are for a patent appl 1.136(a) apply.	ication and the provisions of 37 CFR	
			12265
		01 FC:2253 555.90 DA	

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[]	Applicants believe that no extension of time is required. However, this conditional
	petition is being made to provide for the possibility that applicant has inadvertently
	overlooked the need for a petition and fee for extension of time.

[X] Applicants petition for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
one month two months three months	\$ 130.00 \$ 490.00 \$ 1,110.00	\$ 65.00 \$ 245.00 \$ 555.00
four months	\$ 1,730.00	\$ 865.00

Extension of time fee due with this request: \$555.00.

If an additional extension of time is required, please consider this a Petition therefor.

[]	An exte	nsion for	months has	already been	secured	and the f	ee paid tl	herefor of
	\$	is deducted	from the tota	al fee due for	the total	months o	of extens	ion now
	requeste	ed.					•	

4. Constructive Petition

[X] EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

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6. Fee Calculation (37 C.F.R. §1.16)

		C	CLAIMS AS AMEND	ED		
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	27	Minus	28		x \$50.00 each=	+ \$0.00
Independent Claims (37 C.F.R.§1.16(b))	3	Minus	3	0	x \$200.00 each=	+ \$ 0.00
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
					SUB-TOTAL =	\$0.00
Reduction by 1/2 for filing by a small entity- \$0.00						
TOTAL FEE = S						\$0.00

7. Fee Payment

- [] No fee is to be paid at this time.
- [X] Please charge our Deposit Account No. 50-0310 in the amount of \$555.00 for the three-month extension of time fee.
- [X] The Commissioner is hereby authorized to charge any additional fees including fees due under 37 CFR §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: February 5, 2009

John D. Zele

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